



# California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

*Information contained in this document is published as received from agencies and is not edited by Thomson West.*

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

#### CONFLICT OF INTEREST CODES

##### ADOPTION

STATE AGENCY: California African American  
Museum  
MULTI-COUNTY: Eastern Sierra Transit Authority

##### AMENDMENT

STATE AGENCY: Department of Alcohol and Drug  
Programs  
Employment Development  
Department

A written comment period has been established commencing on **July 20, 2007**, and closing on **September 3, 2007**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section

87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **September 3, 2007**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

#### REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to **Ashley Clarke**, Fair

Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsections 3591.20(a) and (b) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Eradication Area as an emergency action that was effective on April 3, 2007. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than October 1, 2007.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3591.20(a) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Eradication Area as an emergency action that was effective on April 20, 2007. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than October 17, 2007.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3591.20(a) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Eradication Area as an emergency action that was effective on April 23, 2007. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than October 22, 2007.

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended subsection 3591.20(a) of the regulations in Title 3 of the California Code of Regulations pertaining to Light Brown Apple Moth Eradication Area as an emergency action that was effective on June 5, 2007. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than December 3, 2007.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before September 3, 2007.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

The amendments of subsections 3591.20(a) and (b) established Marin, Monterey, Napa, San Francisco, San Mateo, Santa Clara and Santa Cruz counties as eradication areas for the light brown apple moth, *Epiphyas postvittana* and the hosts of light brown apple moth. The effect of these actions was to establish authority for the State to conduct eradication activities in Marin, Monterey, Napa, San Francisco, San Mateo, Santa Clara and Santa Cruz counties against this pest. There is no existing, comparable federal regulation or statute.

#### COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that the adoption of Section 3591.20 does not impose a mandate on local agencies or school districts and no reimbursement is required for Section 3591.20 under Section 17561 of the Government Code. The De-

partment also has determined that no savings or increased costs to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

#### EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed actions will not affect housing costs.

#### EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed actions will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

#### COST IMPACT ON AFFECTED PRIVATE PERSON OR BUSINESSES

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### ASSESSMENT

The Department has made an assessment that the proposed adoption of the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

#### ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

#### AUTHORITY

The Department proposes to amend subsections 3591.20(a) and (b) pursuant to the authority vested by

Sections 407 and 5322 of the Food and Agricultural Code.

#### REFERENCE

The Department proposes to amend subsections 3591.20(a) and (b), to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 of the Food and Agricultural Code.

#### EFFECT ON SMALL BUSINESS

The proposed adoption of this regulation may affect small businesses.

#### CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

#### INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site ([www.cdfa.ca.gov/cdfa.pendingregs](http://www.cdfa.ca.gov/cdfa.pendingregs)).

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days



prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

### **TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE**

#### **ARTICLE 4. Containers**

#### **ARTICLE 25.5. Juice Grapes**

(Notice published July 20, 2007)

### **NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the Department of Food and Agriculture (Department) proposes to amend Sections 1380.19 and 1437.12, of the regulations in Title 3 of the California Code of Regulations pertaining to juice grapes.

The Department has not scheduled a public hearing on this proposed action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

### **WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comment relevant to the proposed regulatory action to the Department. The written comment period closes at 5:00 p.m. on September 3, 2007. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Steve Patton, Supervisor  
Inspection and Compliance Branch  
California Department of Food and Agriculture  
1220 N Street  
Sacramento, CA 95814

### **AUTHORITY AND REFERENCE**

Notice is hereby given that the Department of Food and Agriculture, pursuant to the authority vested by Sections 14, 407, and 42682 of the Food and Agricultural Code, and to implement, interpret, or make specific Section 42682 of the Food and Agricultural Code, proposes to amend regulations in Title 3 of the California Code of Regulations.

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Section 401 of the California Food and Agricultural Code declares that the Department shall promote and protect the agricultural industry of California. Section 407 declares that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of the Food and Agricultural Code which he is directed or authorized to administer or enforce.

Section 42682 of the Food and Agricultural Code gives the Secretary the authority to establish, modify, or rescind by regulation, standard container, lid, marking, sizing requirements for commodities, and packing arrangement for any fruits, nuts, or vegetables, upon receiving a petition from a person that the Secretary finds has a substantial interest.

To comply with these sections of the Food and Agricultural Code the Department is proposing to amend the following sections to the California Code of Regulations (CCR):

- Section 1380.19, subsection (n) describes the dimensions of eleven existing standard containers used for grapes, of which three are specified for juice grapes. As a matter of record, the containers in this section specified for juice grapes are 38K Standard, 38Q Polystyrene lug and 38R Grape lug. The specific purpose of amending Section 1380.19, subsection (n) is to describe the dimensions for proposed container 38RPC.
- Section 1437.12 requires that all juice grapes be packed in one of three standard containers. The specific purpose of amending Section 1437.12, subsection (a) is to adopt 38RPC as a new standard container for shipping of juice grapes.

### **DISCLOSURES REGARDING THE PROPOSED ACTION**

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.  
Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None.

Other nondiscretionary cost or saving imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: The Department is not aware of any cost im-

pacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action:

Adoption of these regulations will not:

1. Create or eliminate jobs within California;
2. Create new businesses or eliminate existing businesses within California; or
3. Affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

#### EFFECT ON SMALL BUSINESS

The Department has initially determined that the proposed changes in the regulations would result in no added costs to small businesses affected by these proposed changes. This is based on the fact that the proposal offers an additional alternative for shipping juice grapes, a new standard container that meets the needs of the affected commodity groups without requiring change on the part of industry.

#### CONSIDERATION OF ALTERNATIVES

The Department has determined that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which these regulations are proposed, or would be as effective and less burdensome to affected private persons than the proposed regulations.

#### CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Steve Patton, Supervisor  
Inspection and Compliance Branch  
California Department of Food and Agriculture  
1220 N Street, Sacramento, CA 95814  
Telephone: (916) 445-2180; Fax: (916) 445-2427

The backup contact person for these inquiries is:

Susan Shelton, Staff Services Analyst  
Inspection and Compliance Branch  
California Department of Food and Agriculture  
1220 N Street, Sacramento, CA 95814  
Telephone: (916) 445-2180; Fax: (916) 445-2427

Please direct requests for copies of the proposed text of the regulations, the initial statement reasons, the modified text of the regulation, if any, or other information upon which the rulemaking is based to Ms. Shelton at the above address.

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department will have the rulemaking file available for inspection and copying throughout the rulemaking process at its office at 560 J Street, Suite 220, Sacramento, CA 95814. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, and Title 7, Code of Federal Regulations, Sections 205.662 and 206.663. Copies may be obtained by contacting Susan Shelton at her contact address or phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Susan Shelton at her contact address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Shelton at the above address.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at: [www.cdfa.ca.gov/is/regulation.htm](http://www.cdfa.ca.gov/is/regulation.htm)

**TITLE 15. DEPARTMENT OF  
CORRECTIONS AND REHABILITATION**

**NOTICE OF PROPOSED REGULATIONS**

**California Code of Regulations  
Title 15, Crime Prevention and Corrections  
Department of Corrections and Rehabilitation**

**NOTICE IS HEREBY GIVEN** that the Secretary of the Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5 and Penal Code (PC) Section 5058, and the rulemaking authority granted by PC Sections 5058.3, in order to implement, interpret and make specific PC Sections 5054, proposes to amend various Sections of the California Code of Regulations (CCR), Title 15 concerning Inmate Disciplinary processes.

**PUBLIC HEARING**

Date and Time: September 11, 2007, 10 AM to 12 PM

Place: 660 Bercut Dr

Large Conference Room  
Sacramento, CA 95814

Purpose: To receive comments about this  
action.

**PUBLIC COMMENT PERIOD**

The public comment period will close 5:00 PM on September 11, 2007. Any person may submit public comments in writing (by mail, by fax or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the Department of Corrections and Rehabilitation, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 341-7366; or by e-mail at [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov) before the close of the comment period.

**CONTACT PERSON**

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief  
Regulation and Policy Management Branch  
Department of Corrections and Rehabilitation  
P.O. Box 942883, Sacramento, CA 94283-0001  
Telephone (916) 341-7390**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**Stephanie Winn  
Regulation and Policy Management Branch  
Telephone (916) 341-6156**

**LOCAL MANDATES**

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Government Code Section 17561.

**FISCAL IMPACT STATEMENT**

- Cost or savings to any state agency: *None*
- Other nondiscretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the state: *None*

**EFFECT ON HOUSING COSTS**

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

**COST IMPACTS ON REPRESENTATIVE  
PRIVATE PERSONS OR BUSINESSES**

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT ON BUSINESS**

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**EFFECT ON SMALL BUSINESSES**

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.



## ASSESSMENTS OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION OR EXPANSION

The Department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California.

## CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons, than the proposed regulatory action.

## AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared and will make available the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the Department's website <http://www.cdcr.ca.gov>.

## AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

## AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The

Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058.3 authorizes the Director to adopt, amend, or repeal emergency regulations conducted pursuant to Government Code Section 11340. This regulatory action:

- Will bring CDCR into compliance with PC Section 2932 which dictates that the Department must not assess more than 30 days forfeiture of credit for any "serious" violation of the Departmental regulations; must not assess more than 90 days forfeiture of credit for any misdemeanor offense; must not assess more than 180 days forfeiture of credit for any felony offense, unless the felony is one identified by the Department regulations as an A1 offense, which allows the assessment of up to 360 days forfeiture of credit. Therefore, the Department must not assess more than 30 days forfeiture of credits, unless the violation is either a misdemeanor or felony offense as indicated by the PC. This action will clarify and amend CCR Sections that were in violation of this section of the PC.
- Additionally, these proposed regulations clarify language which has been found to be vague and in danger of being interpreted incorrectly. The proposed regulations also bring the Department into compliance with ongoing court cases which require the Department to perform certain mandated duties, or to refrain from certain activities.
- The Department seeks to standardize processes concerning inmate discipline that were formerly subject to local interpretation. These proposed amendments will retain some appropriate

flexibility to individual institutions, while at the same time, insure the fair and consistent application of the inmate disciplinary process, which will have a positive impact on controlling and rewarding inmate behavior. These changes will also further the safety of all persons and the legitimate penological interests of the institutions.

- This action will amend the current CCR with language which has been rewritten for clarity and easier reference by staff, inmates, and the public in general. Some specific regulatory provisions are retained in virtually unchanged form, while at the same time, new regulatory provisions are added.

## **TITLE 18. STATE BOARD OF EQUALIZATION**

### **NOTICE IS HEREBY GIVEN**

The State Board of Equalization (Board), pursuant to the authority vested in it by section 15606, subdivision (a), of the Government Code, proposes to amend Regulation 1802, Place of Sale and Use for Purposes of Bradley–Burns Uniform Local Sales and Use Taxes, in Title 18, Division 2, Chapter 4, of the California Code of Regulations, relating to sales and use tax. A public hearing on the proposed regulations will be held in Room 121, 450 N Street, Sacramento, at 1:30 p.m., or as soon thereafter as the matter may be heard, on September 11, 2007. At the hearing, any person interested may present statements or arguments orally or in writing relevant to the proposed regulatory action. The Board will consider written statements or arguments if received by September 11, 2007.

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Current law provides that a city or county participating in the Bradley–Burns Uniform Local Sales and Use (Local) Tax system may levy a sales tax on sales consummated within that jurisdiction. Such jurisdictions may levy a complementary use tax on property stored, used, or consumed within the jurisdiction. Revenue and Taxation Code section 7204 requires all sales and use taxes collected by the Board to be distributed to the appropriate city, city and county, redevelopment agency, or county periodically as promptly as feasible. Under Revenue and Taxation Code section 7204.3, the Board is reimbursed for its administrative costs in administering the local tax system by the participating jurisdictions.

Regulation 1802, Place of Sale and Use for Purposes of Bradley–Burns Uniform Local Sales and Use Taxes, is proposed to be amended to interpret, implement and make specific Revenue and Taxation Code section 7203. Regulation 1802 explains when local sales and use tax is directly distributed to a jurisdiction and when the tax is distributed through the medium of the county-wide pool. Currently, Regulation 1802 provides that when the order for the property is sent by the purchaser directly to an out-of-state location and the property is shipped directly to the purchaser in California from a point outside this state, the transaction is subject to the local use tax of the jurisdiction where first functional use is made. If such a transaction is \$500,000 or more, then retailers who are required to report California use tax on such a transaction are required to report local use tax directly to the jurisdiction of first functional use. Amendments are proposed that would eliminate the requirements that the order is made directly with a retailer outside this state and the property is shipped directly to the consumer from outside this state. On any transaction of \$500,000 or more, if the seller is required to collect the local use tax on the transaction, the seller is also required to report the local use tax revenues directly to the jurisdiction of first functional use. Persons who voluntarily collect use tax under Regulation 1684 may, at their own discretion, report use tax revenues on such transactions directly to the jurisdiction of first functional use.

### **COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS**

The State Board of Equalization has determined that the proposed amendments do not impose a mandate on local agencies or school districts. Further, the Board has determined that the amendments and regulations will result in no direct or indirect cost or savings to any State agency, or any costs to local agencies or school districts that are required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of Title 2 of the Government Code or other non-discretionary costs or savings imposed on local agencies, or cost or savings in federal funding to the State of California.

### **EFFECT ON BUSINESS**

Pursuant to Government Code section 11346.5, subdivision (a)(8), the Board of Equalization makes an initial determination that the adoption of the amendments to Regulation 1802 will have no significant statewide adverse economic impact directly affecting business.

The adoption of the proposed amendment to this regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing

businesses nor create or expand business in the State of California.

The amendment to the regulation as proposed will not be detrimental to California businesses in competing with businesses in other states.

The proposed regulations may affect small business.

#### COST IMPACT ON PRIVATE PERSON OR BUSINESSES

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### SIGNIFICANT EFFECT ON HOUSING COSTS

No significant effect.

#### FEDERAL REGULATIONS

Regulation 1802 and the proposed changes have no comparable federal regulations.

#### AUTHORITY

Section 7051, Revenue and Taxation Code.

#### REFERENCE

Section 7203 Revenue and Taxation Code.

#### CONTACT

Questions regarding the substance of the proposed regulation should be directed to Ms. Carole Ruwart (916) 322-3682, at 450 N Street, Sacramento, CA 95814, e-mail [Carole.Ruwart@boe.ca.gov](mailto:Carole.Ruwart@boe.ca.gov) or MIC:82, P.O. Box 942879, 450 N Street, Sacramento, CA 94279-0082.

Written comments for the Board's consideration, notice of intent to present testimony or witnesses at the public hearing, and inquiries concerning the proposed administrative action should be directed to Ms. Diane Olson, Regulations Coordinator, telephone (916) 322-9569, fax (916) 324-3984, e-mail [Diane.Olson@boe.ca.gov](mailto:Diane.Olson@boe.ca.gov) or Ms. Mira Tonis, telephone (916) 319-9518, e-mail [Mira.Tonis@boe.ca.gov](mailto:Mira.Tonis@boe.ca.gov) or by mail at State Board of Equalization, Attn: Diane Olson or Mira Tonis, MIC:80, P.O. Box 942879, 450 N Street, Sacramento, CA 94279-0080.

#### ALTERNATIVES CONSIDERED

The Board determined that no reasonable alternative considered by it or that has been otherwise identified and brought to its attention would be more effective in carrying out the purpose for which this action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

#### AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board has prepared an initial statement of reasons and an underscored and strikeout version (express terms) of the proposed regulation. Both of these documents and all information on which the proposal is based are available to the public upon request. The Rulemaking file is available for public inspection at 450 N Street, Sacramento, California. The express terms of the proposed regulation are available on the Internet at the Board's Web site <http://www.boe.ca.gov>.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

The final statement of reasons will be made available on the Internet at the Board's Web site following its public hearing of the proposed regulation. It will also be available for public inspection at 450 N Street, Sacramento, California.

#### ADDITIONAL COMMENTS

Following the hearing, the State Board of Equalization may, in accordance with the law, adopt the proposed regulations if the text remains substantially the same as described in the text originally made available to the public. If the State Board of Equalization makes modifications which are substantially related to the originally proposed text, the Board will make the modified text, with the changes clearly indicated, available to the public for fifteen days before adoption of the regulation. The text of any modified regulation will be mailed to those interested parties who commented on the proposed regulatory action orally or in writing or who asked to be informed of such changes. The modified regulation will be available to the public from Ms. Olson. The State Board of Equalization will consider written comments on the modified regulation for fifteen days after the date on which the modified regulation is made available to the public.

## **TITLE 18. STATE BOARD OF EQUALIZATION**

### **NOTICE IS HEREBY GIVEN**

The State Board of Equalization (the Board), pursuant to the authority vested in it by section 22971.2 of the Business and Professions Code, proposes to amend Regulation 4703 in Title 18, Division 2, Chapter 9.5 of the California Code of Regulations, relating to the Cigarette and Tobacco Products Licensing Act of 2003.

A public hearing on the proposed regulatory action will be held in Room 121, 450 N Street, Sacramento, at 1:30 p.m., or as soon thereafter as the matter may be heard, on Tuesday, September 11, 2007. At the hearing, any person interested may present statements or arguments orally or in writing relevant to the proposed regulatory action. The Board will consider written statements or arguments if received by the time of the public hearing.

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The Board proposes to amend Regulation 4703 as follows:

Regulation 4703 outlines the situations when cigarettes or tobacco products may be seized under certain statutes and that such seized products are forfeited to the state unless a timely petition for release of seized property is filed. The regulation further describes what evidence can be provided that may result in the return of seized property. The proposed amendments specifically provide that licensed distributors are excluded from seizures of unstamped cigarettes (including cigarettes stamped with another state's tax stamp) and further clarify that in the absence of an applicable exemption from tax or other lawful possession of unstamped product under the Revenue and Taxation Code (e.g., Revenue and Taxation Code sections 30102 through 30106 or 30431), unstamped cigarettes and/or untaxed tobacco products are subject to seizure.

### **COST OR SAVINGS TO STATE OR LOCAL AGENCIES OR SCHOOL DISTRICTS**

The Board has determined that the proposed regulatory action does not impose a mandate on local agencies or school districts. Further, the Board has determined that the proposed regulatory action will result in no direct or indirect cost or savings to any state agency, or any local agency or school district that is required to be reimbursed under Part 7 (commencing with section

17500) of Division 4 of Title 2 of the Government Code, or other non-discretionary cost or savings imposed on local agencies, or cost or savings in federal funding to the State of California.

### **EFFECT ON BUSINESS**

Pursuant to Government Code section 11346.5(a)(8), the Board makes an initial determination that the proposed Regulations will not have a significant statewide adverse economic impact directly affecting business.

The adoption of the proposed regulations will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses, nor create or expand business in the State of California.

The regulations proposed will not be detrimental to California businesses in competing with businesses in other states.

The proposed regulations may affect small business.

### **COST IMPACT ON PRIVATE PERSON OR BUSINESSES**

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **SIGNIFICANT EFFECT ON HOUSING COSTS**

No significant effect.

### **FEDERAL REGULATIONS**

The proposed regulations have no comparable federal regulations.

### **AUTHORITY**

Section 22971.2 of the Business and Professions Code.

### **REFERENCE**

The Cigarette and Tobacco Products Licensing Act of 2003, Division 8.6 of the Business and Professions Code (commencing with section 22970); Revenue and Taxation Code sections, 30102 through 30106, 30435, 30436, 30438, 30431, 30473, and 30474.1.

### **CONTACT**

Questions regarding the substance of the proposed regulatory action should be directed to Ms. Monica



Gonzalez Brisbane, (916) 322-0438, email [Monica.Brisbane@boe.ca.gov](mailto:Monica.Brisbane@boe.ca.gov), or by mail to: State Board of Equalization, Attn: Monica Gonzalez Brisbane, MIC:82, P.O. Box 942879, Sacramento, CA 94279-0082.

Written comments for the Board's consideration, notices of intent to present testimony or witnesses at the public hearing, and inquiries concerning the proposed regulatory action should be directed to Mira N. Tonis, Regulations Coordinator, telephone (916) 319-9518, fax (916) 324-3984, e-mail [Mira.Tonis@boe.ca.gov](mailto:Mira.Tonis@boe.ca.gov), or by mail to: State Board of Equalization, Attn: Mira N. Tonis, MIC: 80, P.O. Box 942879-0080, Sacramento, CA 94279-0080.

#### ALTERNATIVES CONSIDERED

The Board must determine that no reasonable alternative considered by it or that has otherwise been identified and brought to the Board's attention would be more effective in carrying out the purpose for which this action is proposed, or would be as effective and less burdensome to affected private persons than the proposed regulatory action.

#### AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board has prepared an initial statement of reasons and an underscore and strike-out version (express terms) of the proposed amendments. Both of these documents and all information on which the proposal is based are available to the public upon request. The rule-making file is available for public inspection at 450 N Street, Sacramento, California. The express terms of the proposed amendments are available on the Internet at the Board's Web site, <http://www.boe.ca.gov>.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

The final statement of reasons will be made available on the Internet at the Board's Web site following its public hearing of the proposed amendments. It will also be available for your inspection at 450 N Street, Sacramento, California.

#### ADDITIONAL COMMENTS

Following the hearing, the Board may, in accordance with law, adopt the proposed amendments if the text remains substantially the same as described in the text

originally made available to the public. If the Board makes modifications which are substantially related to the originally proposed text, the Board will make the modified text, with the changes clearly indicated, available to the public for fifteen days before adoption of the regulations. The text of any modified regulation will be mailed to those interested parties who commented on the proposed regulatory action orally or in writing or who asked to be informed of such changes. The modified regulation will be available to the public from Ms. Tonis. The Board will consider written comments on the modified regulation for fifteen days after the date on which the modified regulation is made available to the public.

### GENERAL PUBLIC INTEREST

#### DEPARTMENT OF TOXIC SUBSTANCES CONTROL

#### NOTICE OF PROPOSED SETTLEMENT 185 AND 199 EAST POLK STREET, COALINGA

In accordance with Health and Safety Code sections 25300 et seq. (the Hazardous Substances Account Act), 58009 and 58010, the Department of Toxic Substances Control (DTSC) has the authority to enter into agreements, whereby DTSC covenants not to sue or assert claims for environmental remediation against prospective purchasers of environmentally impacted properties, if such agreements are sufficiently in the public interest.

Notice is hereby given that DTSC proposed to enter into a Prospective Purchaser Agreement (PPA) with Interra (Coalinga) LLC who intends to purchase the properties at 185 and 199 East Polk Street, City of Coalinga, County of Fresno. These properties are identified as Assessor Parcel Numbers 072-200-02 and 072-200-03, and an alley that separates the two parcels. The purchaser commits to complete any needed additional assessment work and to remediate existing contamination at the properties in return for DTSC's covenant not to sue. The PPA is in the public interest because it provides for the following:

- the assessment and cleanup of hazardous substances resulting from former operations at the property;
- elimination of potential exposure to wind blown contamination, surface soil exposure and limiting water infiltration;
- construction of commercial buildings that will provide significant job opportunities; and,



- d. additional tax revenue for the City of Coalinga and the surrounding areas.

DTSC is holding a 30-day comment period on this Agreement. Written comments on this proposed settlement must be submitted on or before August 20, 2007. To insure timely receipt by DTSC and Interra LLC, you are requested simultaneously to transmit your comments by facsimile or by overnight mail to the following:

Mr. Michael Pfister  
California Environmental Protection Agency  
Department of Toxic Substances Control  
1515 Tollhouse Road  
Clovis, California 93611  
Phone: (559) 297-3958  
Facsimile: (559) 297-3904

Mr. Brian Kisling  
Interra (Coalinga), LLC  
2377 Gold Meadow Way, Suite 100  
Gold River, California 95670  
Phone (916) 526-2817  
Facsimile: (916) 526-2820

If you should have any questions regarding the Prospective Purchaser Agreement, or would like a copy, please contact the DTSC contact identified above.

**AVAILABILITY OF INDEX OF  
PRECEDENTIAL DECISIONS**

**EDUCATION AUDIT APPEALS PANEL**

Notice of Availability of Precedential Decision Index  
(Government Code Section 11425.60)

*Notice is hereby given* that the Education Audit Appeals Panel (EAAP) maintains an index of the determinations made in the only decision EAAP has so far designated as precedential. The index is available on the Internet at <http://www.eaap.ca.gov>, following the text of the "Appeals" section.

**ACCEPTANCE OF PETITION  
TO REVIEW ALLEGED  
UNDERGROUND REGULATIONS**

**DEPARTMENT OF HEALTH SERVICES**

**OFFICE OF ADMINISTRATIVE LAW**

**ACCEPTANCE OF PETITION TO REVIEW  
ALLEGED UNDERGROUND REGULATIONS**

**(Pursuant to title 1, section 270, of the  
California Code of Regulations)**

**Agency being challenged:**

The Office of Administrative Law has accepted the following petition for consideration. Please send your comments to:

Kathleen Eddy, Senior Counsel  
Office of Administrative Law  
300 Capitol Mall, Ste. 1250  
Sacramento, CA 95814

A copy of your comment must also be sent to the petitioner and the agency contact person.

**Petitioner:**

P. Dennis Mattson, PhD  
President, Developmental Services Network  
770 L Street, Suite 950  
Sacramento, CA 95814

(916) 449-3947  
[dmattson@independentoptions.org](mailto:dmattson@independentoptions.org)

**Agency contact:**

Director  
Department of Health Services  
OFFICE OF LEGAL SERVICES  
1501 Capitol Avenue, MS 0010  
P.O. BOX 997413  
Sacramento, CA 95899-7413

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044.

**PETITION TO THE OFFICE OF  
ADMINISTRATIVE LAW**

**SUBJECT: Alleged Underground Regulation (Code of California Regulations, Title 1, Section 260)**

FROM: P. Dennis Mattson, PhD

DATE: May 21, 2007

I serve as the President of Developmental Services Network, a private non-profit association of approximately 300 providers of health licensed residential services to people with developmental disabilities. Virtually all of our reimbursement is from Medi-Cal, California's version of the Medicaid program, which is administered by the Department of Health Services. Reimbursement rates are established each year based on cost reports submitted by providers to the Department. The Department then audits a random sample of the reports each year and based on those findings reduces the amount on each cost report submitted. In accomplishing these rate audits, the Department uses "guidelines" to determine "administrator compensation," which in actuality, are a set of pre-determined rules of general application that have not been promulgated through a rulemaking. As a result, these rules are underground regulations.

#### CONTACT INFORMATION

P. Dennis Mattson, PhD  
President, Developmental Services Network  
770 L Street, Suite 950  
Sacramento CA 95814

916.449.3947  
dmattson@independentoptions.org

#### STATE DEPARTMENT CHALLENGED

Department of Health Services

#### DESCRIPTION OF UNDERGROUND REGULATION

Attached to this document are four pages of documents used by the Department of Health Services to limit allowable costs related to administrator compensation in Intermediate Care Facilities for the Developmentally Disabled, Habilitative or Nursing, or more commonly known as ICF DDH and ICF DDN facilities. These facilities are primarily small six bed homes, licensed by the Department of Health Services and funded through the Medi-Cal program. Each facility submits a cost report to the Department on an annual basis. The Department audits a statistical sample, drawn by random, of such reports on an annual basis. In every one of these audits (more than 200 individual audits in

2006-07), state auditors applied the attached standards (alleged underground regulations) on a statewide basis to limit compensation to the facilities through the rate setting process.

As these rules are applied to every audit conducted of these facilities, they are clearly rules of general application and qualify as regulations pursuant to Government Code Section 11342.600.

#### DESCRIPTION OF AGENCY ACTIONS

The Department of Health Services (DHS) routinely applies the underground regulations to all audited ICF DDH and DDN facilities in the state. Audits have been completed in 2006-07 for costs reported in the fiscal period of 2005. In those audits, DHS disallowed total costs of more than \$400,000 in more than 22 individual audit reports. These disallowed costs serve to reduce the amounts reported as costs by all providers because DHS projects the disallowances in the sample to the entire universe of ICF DDH and DDN facilities. It is estimated that the use of these underground regulations will result in a reduction in payments to Medi-Cal providers of at least \$2.5 million annually based on the audit results released thus far this year for the 2005 audit year, which is used to determine the August 1, 2007 rates of reimbursement.

DHS has issued the underground regulations as guidelines, utilizes them on every audit of ICF DDH and DDN facilities, and enforces the guidelines through the audit disallowance process.

#### LEGAL BASIS

The continued use of the administrator compensation guidelines by DHS is in violation of Government Code Section 11340.5(a) which states:

*"No agency shall issue, utilize, enforce, or attempt to enforce any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, which is a "regulation" under the APA unless it has been adopted as a regulation and filed with the Secretary of State pursuant to the APA."*

DHS continues to apply the referenced "guidelines" to their audits on a statewide basis despite the lack of adoption of these audit practices as regulations. The leading case in the area of underground regulations, *Armistead v. State Personnel Board* (1978), 22 Cal3d 198, 149 Cal.Rptr.1, states that "rules that interpret and implement other rules have no legal effect unless they have been adopted pursuant to the APA." Numerous rulings have confirmed provider audits must be conducted in accordance with the regulatory process. The Court in *Grier v. Kizer* (1990) 219 Cal.App.3d 422, 268

Cal.Rptr.244, found that “the statistical extrapolation rule used by Department of Health Services in Medi-Cal provider audits was subject to the APA and therefore, invalid.” The practice at issue in Grier involved reviewing a small sample of claims and extrapolating the audit findings on those claims to a much larger universe, without the benefit of any regulatory authority for this approach. Similarly, the administrator compensation “guidelines” are rules of general application devoid of any legal basis.

As stated earlier, DHS has applied these “guidelines” in more than 200 audits during FY 2006–07.

In researching various California codes, we find no statutory exemption to the APA requirements.

#### ISSUE OF CONSIDERABLE PUBLIC IMPORTANCE

DHS audits more than 200 ICF DDH and DDN facilities each year. They then project the findings from these sample audits to more than 1,000 facilities statewide, effectively reducing the reported costs used to establish the Medi-Cal rates. Providers are not made aware of the standards which are applied and have no state regulations to reference. This year alone, their action using these underground regulations will result in a negative fiscal impact on providers of approximately \$2.5 million which creates funding shortfalls for providers under the program as they are almost completely reliant on Medi-Cal for funding.

Further, DHS has failed to even substantiate the methodology used to generate the underground regulations. The lack of a statistically valid sample in development of the guidelines along with the absence of written methodology suggests that more work is required by the Department in order for these underground regulations to be acceptable as regulations.

Attached is a hearing decision by an administrative law judge on the issue presented in this petition (Day-break Care Centers). We are not aware of any pending litigation on the issue. Also attached is a copy of our letter of January 12, 2007 requesting that DHS stop the use of these underground regulations.

#### CERTIFICATION

I certify that I have submitted a copy of this petition and all attachments to:

Sandra Shewry, Director  
Department of Health Services  
1501 Capitol Avenue  
Sacramento CA 95814

I certify that all of the above information is true and correct to the best of my knowledge:

/s/

P. Dennis Mattson, Petitioner

5/20/07

Date

Attachments

### SUMMARY OF REGULATORY ACTIONS

#### REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653–7715. Please have the agency name and the date filed (see below) when making a request.

#### BOARD OF ACCOUNTANCY

Audit Documentation, Continuing Education, Substantial Relationship

This regulatory action amends the audit document assembly period; establishes the requirements for group internet-based continuing education programs and amends the criteria for “substantial relationship” for the purposes of denial, suspension or revocation of a certificate or permit.

Title 16

California Code of Regulations

AMEND: 68.3, 68.4, 88, 88.1, 88.2, 89, 99

Filed 07/11/07

Effective 09/01/07

Agency Contact: Aronna Wong (916) 561–1788

#### BOARD OF EQUALIZATION

Leases of Tangible Personal Property — In General

This filing by the State Board of Equalization is a change without regulatory effect that amends Title 18 section 1660 that deals with “customer facility charges” required by an airport to be collected from customers of rental car companies operating in or near the airport. This filing is a result of statutory changes made by Assembly Bill (AB) 491 (Ch. 661, Statutes of 2001), operative January 1, 2002, that amended Civil Code section 1936 relating to vehicle rentals.

Title 18  
California Code of Regulations  
AMEND: 1660  
Filed 07/10/07  
Agency Contact: Mira Tonis (916) 319-9518

**BOARD OF OCCUPATIONAL THERAPY**  
Abandonment of Application

This regulatory action revises the time period in which an application for a license, certificate or limited permit to practice occupational therapy is deemed abandoned due to failure to complete the application process or remit any applicable fees.

Title 16  
California Code of Regulations  
AMEND: 4114  
Filed 07/10/07  
Effective 08/09/07  
Agency Contact: April Freeman (916) 322-3278

**DEPARTMENT OF CORPORATIONS**  
Compensatory Benefit Plan Rules

This action updates the rules for compensatory benefit plans utilized by an issuer of securities that are subject to the requirement of qualification with the Commissioner of Corporations.

Title 10  
California Code of Regulations  
AMEND: 260.140.8, 260.140.41, 260.140.42, 260.140.45, 260.140.46  
Filed 07/09/07  
Effective 07/09/07  
Agency Contact: Karen Fong (916) 322-3553

**DEPARTMENT OF FOOD AND AGRICULTURE**  
Japanese Beetle Eradication Area

This emergency regulatory action establishes Orange County as an area of eradication for the Japanese beetle (*Popillia japonica*).

Title 3  
California Code of Regulations  
AMEND: 3589(a)  
Filed 07/06/07  
Effective 07/06/07  
Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF FOOD AND AGRICULTURE**  
Diaprepes Root Weevil Interior Quarantine

This emergency regulatory action expands one existing quarantine area in Orange County and one existing quarantine area in San Diego County and adds one new quarantine area for each of Los Angeles and San Diego County for the West Indian Sugarcane root borer (WIS)

(*Diaprepes abbreviatus*). The regulation also establishes the means and methods that may be used to eradicate and control this pest within this area.

Title 3  
California Code of Regulations  
AMEND: 3433(b)  
Filed 07/09/07  
Effective 07/09/07  
Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF FOOD AND AGRICULTURE**  
Oriental Fruit Fly Eradication Area

This emergency regulation adds San Mateo County to the list of counties already proclaimed to be eradication areas within California regarding the Oriental Fruit Fly (*Bactrocera dorsalis*).

Title 3  
California Code of Regulations  
AMEND: 3591.2(a)  
Filed 07/06/07  
Effective 07/06/07  
Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

HCD Occupational Licensing, Registration & Titling Programs (Forms)

This nonsubstantive filing adjusts various Department of Housing and Community Development forms and regulations to comply with newly enacted Health and Safety Code section 18035.26. Previously, the statutory and regulatory provisions did not clearly address issues related to buyer-installed sales for manufactured homes. Health and Safety Code section 18035.26 was enacted to specify procedures to be followed when a buyer wants (or the seller does not want) responsibility for installation of manufactured homes.

Title 25  
California Code of Regulations  
AMEND: 5060, 5061, 5062, 5064, 5520, 5521, 5530, 5540.1, 5575  
Filed 07/06/07  
Effective 07/06/07  
Agency Contact: Clayton Haas (916) 327-2798

**DEPARTMENT OF MOTOR VEHICLES**  
Business Partner Automation (BPA) Program

In this regulatory action, the Department of Motor Vehicles amends a number of its "Business Partner Automation (BPA) Program" regulations which implement Vehicle Code section 1685. Among the amendments are changes to the "BPA Transaction Procedures and Inventory Requirements Handbook."



Title 13  
California Code of Regulations  
AMEND: 225.18, 225.39, 225.45, 225.54 and 225.63  
Filed 07/09/07  
Effective 08/08/07  
Agency Contact: Christie Patrick (916) 657-5567

**DEPARTMENT OF MOTOR VEHICLES**

**Truck Tractor with Living Quarters**

This action adopts one regulation declaring truck tractors with living quarters "commercial vehicles" under Vehicle Code section 260 unless the living quarters permanently prevent the tractor from towing.

Title 13  
California Code of Regulations  
ADOPT: 150.08  
Filed 07/11/07  
Effective 08/10/07  
Agency Contact: Christie Patrick (916) 657-5567

**DEPARTMENT OF PARKS AND RECREATION**

**OHMVR Grants and Cooperative Agreements Program**

This filing is a change without regulatory effect that amends regulations that deal with local assistance grants, grants to nonprofit organizations and education institutions, and cooperative agreements with federal agencies and federally recognized Native American tribes by the Off-Highway Motor Vehicle Recreation (OHMVR) Division of the Department of Parks and Recreation. This filing includes changes without regulatory effect to the Manual for Grants and Cooperative Agreements Program (April 2007) ("Grants Program Manual"), which is incorporated by reference.

Title 14  
California Code of Regulations  
AMEND: 4970.50, 4970.53, 4970.55, 4970.62, 4970.63, 4970.64  
Filed 07/10/07  
Agency Contact: John Pelonio (916) 324-4442

**DEPARTMENT OF PUBLIC HEALTH**

**Mammography Machine Identification**

This regulatory action deals with mammography machine identification. (Agency File Number R-06-019.)

Title 17  
California Code of Regulations  
AMEND: 30315.33, 30316.60, 30317, 30319.20  
Filed 07/11/07  
Effective 08/10/07  
Agency Contact: Jasmin Delacruz (916) 440-7688

**OFFICE OF ADMINISTRATIVE LAW**

**Underground Regulations**

This regulatory action amends the process by which OAL reviews petitions and issues determinations as to whether or not an agency has issued, used, enforced, or attempted to enforce an underground regulation.

Title 1  
California Code of Regulations  
AMEND: 270  
Filed 07/09/07  
Effective 07/09/07  
Agency Contact: Margaret Molina (916) 324-6044

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN FEBRUARY 07, 2007 TO  
JULY 11, 2007**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 1**

07/09/07 AMEND: 270  
06/28/07 AMEND: 2616

**Title 2**

07/02/07 ADOPT: 18531.62 AMEND: 18544, 18545  
07/02/07 ADOPT: 1859.302, 1859.324.1, 1859.330 AMEND: 1859.302, 1859.318, 1859.320, 1859.321, 1859.322, 1859.323, 1859.323.1, 1859.323.2, 1859.324, 1859.326, 1859.328, 1859.329  
06/20/07 ADOPT: 1859.106.1 AMEND: 1859.106  
06/15/07 AMEND: div. 8, ch. 111, sec. 59560  
06/13/07 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.71, 20108.75, 20108.80  
REPEAL: 20108.37  
05/23/07 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51,



	20108.55, 20108.60, 20108.65, 20108.70, 20108.71, 20108.75, 20108.80	05/07/07	AMEND: 6860
05/21/07	AMEND: 18402	05/07/07	AMEND: 3433
05/17/07	ADOPT: 1859.70.4, 1859.71.6, 1859.77.4, 1859.162.1, 1859.162.2, 1859.162.3, 1859.163.4, 1859.163.5, 1859.163.6, 1859.163.7, 1859.169.1 AMEND: 1859.2, 1859.51, 1859.60, 1859.61, 1859.70.3, 1859.71, 1859.78.9, 1859.83, 1859.93.2, 1859.160, 1859.161, 1859.162, 1859.163.1, 1859.163.2, 1859.163.3, 1859.164, 1859.164.1, 1859.164.2, 1859.165, 1859.166, 1859.167, 1859.167.1, 1866.4, 1866.13 REPEAL: 1859.162.1	05/03/07	ADOPT: 3035 REPEAL: 3035, 3035.1, 3035.2, 3035.3, 3035.4, 3035.5, 3035.6, 3035.7, 3035.8, 3035.9
05/17/07	AMEND: 52900	04/25/07	AMEND: 3433(b)
05/14/07	AMEND: 599.664	04/23/07	AMEND: 3591.20
05/08/07	AMEND: div. 8, ch. 48, sec. 53700	04/20/07	AMEND: 3591.20(a)
05/08/07	ADOPT: 1185.2, 1185.3, 1185.4 AMEND: 1185, 1185.01 (renumbered to 1185.1), 1185.02 (renumbered to 1185.5), 1185.03 (renumbered to 1185.6), 1185.1 (renumbered to 1185.7)	04/20/07	ADOPT: 3434
04/30/07	AMEND: 1859.124.1	04/03/07	AMEND: 3591.20(a), 3591.20(b)
04/25/07	AMEND: 1859.83, 1859.202, 1866	04/02/07	AMEND: 752, 796.6, 1301
04/16/07	AMEND: 18401	03/28/07	AMEND: 3591.2(a)
04/04/07	AMEND: 28010 REPEAL: 36000	03/27/07	ADOPT: 1446.9, 1454.16
03/27/07	AMEND: 59560	03/21/07	ADOPT: 3591.20
03/20/07	ADOPT: 18746.3	03/15/07	ADOPT: 1371, 1371.1, 1371.2
03/15/07	AMEND: div. 8, ch. 102, section 59100	03/07/07	AMEND: 3423(b)
03/14/07	AMEND: div. 8, ch. 73, section 56200	03/06/07	AMEND: 3700(c)
03/01/07	AMEND: 21922	02/15/07	ADOPT: 499.5, 513, 513.5 AMEND: 498, 499, 500, 501, 502, 504, 505, 509, 510, 511, 512, 512.1, 512.2, 514, 515, 516, 517, 525, 551, 552, 553, 554, 604.1 REPEAL: 499.5, 503, 506, 508, 512.3, 527, 536, 537, 538, 539, 540, 541, 543, 544, 546, 547, 550
02/28/07	AMEND: 714	02/14/07	AMEND: 3700(c)
02/16/07	AMEND: 1859.2, 1859.76, 1859.83, 1859.163.1, 1859.167, 1859.202, 1866	02/08/07	AMEND: 3433(b)
<b>Title 3</b>		02/08/07	AMEND: 6170, 6172, 6200
07/09/07	AMEND: 3433(b)	02/07/07	AMEND: 6170, 6172, 6200
07/06/07	AMEND: 3589(a)	<b>Title 4</b>	
07/06/07	AMEND: 3591.2(a)	05/30/07	AMEND: 1481
06/21/07	AMEND: 3434(b), 3434(c)	05/08/07	AMEND: 1433
06/13/07	ADOPT: 6739 AMEND: 6000, 6720, 6738, 6793	05/07/07	AMEND: 1606
06/07/07	AMEND: 3434(b)	04/24/07	ADOPT: 9071, 9072, 9073, 9074, 9075
06/06/07	AMEND: 3434(b)	04/19/07	AMEND: 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10188
06/05/07	AMEND: 3591.20(a)	03/13/07	ADOPT: 7075, 7076, 7077, 7078, 7079, 7080, 7081, 7082, 7083, 7084, 7085, 7086, 7087, 7088, 7089, 7090, 7091, 7092, 7093, 7094, 7095, 7096, 7097, 7098, 7099 REPEAL: 7000, 7001, 7002, 7003, 7004, 7005, 7006, 7007, 7008, 7009, 7010, 7011, 7012, 7013, 7014, 7015, 7016, 7017
05/31/07	ADOPT: 900, 900.1, 900.2, 901.5, 901.8, 901.9, 901.10, 901.11, 902, 902.1, 902.3, 902.4, 902.5, 902.6, 902.7, 902.8, 902.9, 902.10, 902.11, 902.12, 902.13, 902.14, 903, 903.1, 903.2, 903.3, 903.4, 903.5, 903.6, 903.7, 903.8, 903.9, 903.10, 903.11, 903.12	02/08/07	ADOPT: 12341
		02/08/07	ADOPT: 12550, 12552, 12554, 12556, 12558, 12560, 12562, 12564, 12566, 12568, 12572
		<b>Title 5</b>	
		06/05/07	AMEND: 19802
		06/04/07	ADOPT: 11996, 11996.1, 11996.2, 11996.3, 11996.4, 11996.5, 11996.6,

11996.7, 11996.8, 11996.9, 11996.10, 11996.11  
 06/01/07 REPEAL: 41916  
 05/30/07 ADOPT: 30920, 30921, 30922, 30923, 30924, 30925, 30926, 30927  
 05/18/07 ADOPT: 19828.2, 19829.5, 19830.1, 19837.1, 19838, 19846 AMEND: 19816, 19816.1, 19828.1, 19830, 19837, 19854  
 05/11/07 AMEND: 30023(c)  
 05/07/07 ADOPT: 30910, 30911, 30912, 30913, 30914, 30915, 30916, 30917  
 04/27/07 ADOPT: Art. 2.2 (subch.1, ch. 6), 55151, 55151.5, 55151.7, 58707, 58785, AMEND: 55002, 55150, 58160, 58704, 58770, 58771, 58773, 58774, 58776, 58777, 58779 REPEAL: 58706, 58775  
 04/23/07 ADOPT: 30710, 30711, 30712, 30713, 30714, 30715, 30716, 30717, 30718  
 04/17/07 AMEND: 18013, 18054, 18068  
 04/09/07 ADOPT: 11962, 11962.1  
 04/06/07 AMEND: 41301  
 03/29/07 AMEND: 42356  
 03/19/07 AMEND: 41550  
 03/19/07 AMEND: 41301  
 03/01/07 AMEND: 19816, 19851, 19852, 19853  
 02/28/07 AMEND: 80028, 80487  
 02/16/07 ADOPT: 11987, 11987.1, 11987.2, 11987.3, 11987.4, 11987.5, 11987.6, 11987.7  
 02/08/07 ADOPT: 1000, 1000.1, 1000.2, 1000.3, 1000.4, 1000.5, 1000.6, 1000.7

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06/19/07 AMEND: 212.01  
 06/15/07 ADOPT: 9792.20, 9792.21, 9792.22, 9792.23  
 06/07/07 ADOPT: 9792.11, 9792.12, 9792.13, 9792.14, 9792.15  
 06/01/07 AMEND: 4543  
 05/23/07 AMEND: 5001  
 05/23/07 AMEND: 9767.4, 9767.8, 9768.10, 9788.11  
 05/21/07 AMEND: 9768.5, 9788.31  
 05/16/07 AMEND: 8397.16  
 04/27/07 AMEND: 1801, 8416  
 04/26/07 ADOPT: 10225, 10225.1, 10225.2  
 04/24/07 AMEND: 5004, 5047, 8379  
 04/20/07 AMEND: 5148(c)  
 04/20/07 AMEND: 1620, 1626, 1629  
 04/18/07 AMEND: 20299, 20363, 20407  
 03/29/07 AMEND: 3664(a)  
 03/27/07 AMEND: 3291, 3292, 3295, 3296  
 03/06/07 AMEND: 1529, 1532, 1532.1, 1535, 5144, 5190, 5198, 5200, 5202, 5207,

5208, 5210, 5211, 5213, 5214, 5217, 5218, 5220, 8358  
 03/02/07 ADOPT: 1731 AMEND: 1730  
 03/01/07 AMEND: 1541  
 02/28/07 AMEND: 9789.40  
 02/21/07 AMEND: 9780, 9783  
 02/15/07 AMEND: 9789.11

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06/12/07 AMEND: 10501, 10508, 10511, 10515, 10518, 10522, 10524, 10527, 10529, 10532, 10533, 10545, 10547, 10550, 10561, 10568, 1606, 10608, 10609, 10613, 10615, 10620, 10626, 10630  
 05/24/07 AMEND: 13035  
 05/01/07 ADOPT: 3100, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3200.170, 3200.180, 3200.190, 3200.210, 3200.220, 3200.230, 3200.240, 3200.250, 3200.260, 3200.270, 3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3410, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30, 3530.40, 3540, 3610, 3615, 3620, 3620.05, 3620.10, 3630, 3640, 3650 REPEAL: 3100, 3200.000, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3310, 3400, 3405, 3410, 3415

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07/09/07 AMEND: 260.140.8, 260.140.41, 260.140.42, 260.140.45, 260.140.46  
 06/28/07 AMEND: 2498.4.9  
 06/28/07 AMEND: 2498.5  
 06/28/07 AMEND: 2498.5  
 06/28/07 AMEND: 2498.6  
 06/28/07 AMEND: 2498.6  
 06/28/07 AMEND: 2498.4.9  
 06/28/07 AMEND: 2498.6  
 06/28/07 AMEND: 2498.6  
 06/28/07 AMEND: 2498.4.9  
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 05/01/07 AMEND: 2716.1, 2790.1.5, 2810.5 REPEAL: 2716, 2790.1, 2810  
 04/26/07 ADOPT: 5357, 5357.1, 5358, 5358.1 AMEND: 5350, 5352

04/25/07	AMEND: 2697.6, 2697.61	2787, 2788, 2789 AMEND: 2430, 2431, 2433, 2434, 2438
04/25/07	AMEND: 250.30	
04/24/07	AMEND: 2498.6	03/26/07 ADOPT: 182.00, 182.01, 182. 02, Form REG 195 (REV. 2/2007) AMEND: Form REG 256 (REV. 9/2005)
04/16/07	AMEND: 2318.6, 2353.1, 2354	
03/23/07	AMEND: 2695.8(b)(2)	
03/09/07	AMEND: 2498.6	02/09/07 AMEND: 2702, 2703, 2704, 2706, 2707, 2709
03/06/07	AMEND: 260.230, 260.231, 260.236.1, 260.241.4, 260.242 REPEAL: 260.231.2, 260.236.2	
<b>Title 11</b>		<b>Title 13, 17</b>
06/08/07	AMEND: 9072	06/15/07 AMEND: Title 13, 1969, Title 17, 60060.2, 60060.11, 60060.15, 60060.16, 60060.17, 60060.18, 60060.22, 60060.29, 60060.32, 60060.33, 60060.34
06/08/07	ADOPT: 9020 REPEAL: 1019	
06/06/07	AMEND: 1010 (renumber to 9030 to new Chapter 3)	<b>Title 14</b>
06/04/07	AMEND: 1081	07/10/07 AMEND: 4970.50, 4970.53, 4970.55, 4970.62, 4970.63, 4970.64
06/01/07	ADOPT: 999.6, 999.7, 999.8	06/21/07 ADOPT: 2850 AMEND: 2090, 2425, 2530 REPEAL: 2850
06/01/07	AMEND: 1005, 1007, 1008	06/21/07 AMEND: 7.50(b)(91.1)
04/19/07	ADOPT: 64.6	06/20/07 AMEND: 3696.5
04/19/07	ADOPT: 64.4	06/18/07 AMEND: 17210.2, 17210.4, 17855.2, 17862, 17867
04/19/07	ADOPT: 64.5	06/11/07 ADOPT: 721
04/18/07	ADOPT: 64.3	06/08/07 ADOPT: 2880
03/06/07	AMEND: 1070, 1082	05/29/07 AMEND: 360, 361, 362, 363, 364, 702, 708
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07/11/07	ADOPT: 150.08	05/10/07 AMEND: 5.51, 7.50(b) (53.8)
07/09/07	AMEND: 225.18, 225.39, 225.45, 225.54 and 225.63	05/07/07 ADOPT: 4970.49, 4970.50, 4970.51, 4970.52, 4970.53, 4970.54, 4970.55, 4970.56, 4970.57, 4970.58, 4970.59, 4970.60, 4970.61, 4970.62, 4970.63, 4970.64, 4970.65, 4970.66, 4970.67, 4970.68, 4970.69, 4970.70, 4970.71, 4970.72 REPEAL: 4970.00, 4970.01, 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4970.07, 4970.08, 4970.09, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21, 4970.22, 4970.23, 4970.24, 4970.25, 4970.26, 4970.27, 4970.28, 4970.29, 4970.30, 4970.31, 4970.32
06/29/07	AMEND: 181.00	
05/23/07	AMEND: 2180.1, 2181, 2184, 2185, 2186, 2192, 2194 REPEAL: 2011	05/03/07 ADOPT: 125.1 AMEND: 125
05/01/07	ADOPT: 1300, 1400, 1401, 1402, 1403, 1404, 1405 REPEAL: 1300, 1301, 1302, 1303, 1304, 1304.1, 1305, 1310, 1311, 1312, 1313, 1314, 1315, 1320, 1321, 1322, 1323, 1324, 1325, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1339.1, 1339.2, 1339.3, 1339.4, 1339.5, 1339.6, 1340, 1341, 1342, 1343, 1344, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1370, 1371, 1372, 1373, 1374, 1375, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425, and Article 15 text	04/30/07 AMEND: 1257
04/26/07	AMEND: 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465	04/13/07 ADOPT: 18751.2.1, Form CIWMB 303a, Form CIWMB 303b AMEND: 18751.2 REPEAL: Form CIWMB 303
04/26/07	AMEND: 2451, 2452, 2453, 2455, 2456, 2458, 2459, 2460, 2461, 2462	04/02/07 AMEND: 679
04/12/07	ADOPT: 2775, 2775.1, 2775.2, 2780, 2781, 2782, 2783, 2784, 2785, 2786,	03/27/07 AMEND: 11945
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		03/26/07 AMEND: 2305, 2310, 2320
		03/21/07 AMEND: 7.50
		03/20/07 AMEND: 11945

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03/01/07 AMEND: 10121, 11900(a)(5)

02/28/07 ADOPT: 5.81, 27.91 AMEND: 1.62, 1.63, 1.67, 2.00, 5.00, 5.80, 7.00, 7.50, 8.00, 27.60, 27.65, 27.90, 27.95, 28.20, 29.70, 29.80, 29.85, 195, 701

02/23/07 AMEND: 671.5

02/16/07 AMEND: 10214, 10381, 10500, 10620, 11002, 11003, 11005

02/13/07 AMEND: 53.03, 149, 149.1

02/08/07 AMEND: 880

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03/14/07 ADOPT: Title 27, 21660.1, 21660.2, 21660.3, 21660.4, 21666 AMEND: Title 14, 17388.3, 17388.4, 17388.5, 18077, 18083, 18104.1, 18104.2, 18104.7, 18105.1, 18105.2, 18105.9, Title 27, 21563, 21570, 21580, 21620, 21650, 21660, 21663, 21665, 21675, 21685 REPEAL: Title 14, 17383.10, 17388.6

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06/26/07 ADOPT: 4034.0, 4034.1, 4034.2, 4034.3, 4034.4, 4036 REPEAL: 4040

06/18/07 ADOPT: 1363 AMEND: 1300, 1302, 1303, 1304, 1311, 1312, 1314, 1320, 1321, 1323, 1324, 1325, 1340, 1341, 1342, 1343, 1350, 1353, 1357, 1360, 1361, 1370, 1374, 1375, 1377, 1378, 1390, 1407, 1437, 1438, 1439, 1450, 1461, 1462, 1480, 1501

06/05/07 ADOPT: 3999.5

05/15/07 ADOPT: 3999.4

05/02/07 AMEND: 3276(e)

04/19/07 AMEND: 3084.1, 3391

04/18/07 ADOPT: 3352.2 AMEND: 3350.1, 3352.1, 3354, 3355.1, 3358

04/18/07 AMEND: 2600.1

02/23/07 AMEND: 3000, 3315, 3323, 3341.5

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07/11/07 AMEND: 68.3, 68.4, 88, 88.1, 88.2, 89, 99

07/10/07 AMEND: 4114

07/03/07 ADOPT: 4152.1

06/22/07 AMEND: 1399.170.11

06/20/07 AMEND: 3303.1

06/15/07 AMEND: 2070, 2071

06/12/07 AMEND: 1325, 1339, 1344, 1350.3, 1355.35

05/30/07 ADOPT: 980.2, 980.3 AMEND: 980.1

05/23/07 AMEND: 1706.2

05/04/07 ADOPT: 2516.5, 2518.7, 2576.7 AMEND: 2502, 2516, 2526, 2526.1, 2530, 2533, 2540.3, 2540.4, 2542.2, 2542.3, 2542.4, 2542.5, 2544, 2544.1, 2544.2, 2544.3, 2544.4, 2547.2, 2547.3, 2547.4, 2547.5 2562, 2575, 2581, 2581.1, 2585, 2587, 2592.3, 2592.4, 2593, 2593, 2593.1, 2593.2, 2593.3, 2593.4

04/27/07 AMEND: 1387, 1390.3

04/20/07 AMEND: 2032.4, 2034, 2036, 2036.5

04/09/07 AMEND: 640, 643

04/09/07 AMEND: 1388.6, 1381.5

04/09/07 REPEAL: 356.1

04/03/07 AMEND: 1399.101

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03/26/07 ADOPT: 1784

03/26/07 AMEND: 919

03/23/07 AMEND: 1399.151.1, 1399.160.2, 1399.160.3, 1399.160.4, 1399.160.5, 1399.160.6, 1399.160.7, 1399.160.9, 1399.160.10

03/20/07 AMEND: 1803

03/19/07 REPEAL: 942, 943, 944, 945, 946, 947, 948, 949, 950.6, 950.7, 966

02/28/07 ADOPT: 1396.5

02/23/07 REPEAL: 1712.2

02/15/07 ADOPT: 1034.1 AMEND: 1021, 1028, 1034

02/14/07 ADOPT: 1399.360 AMEND: 1399.302

02/08/07 AMEND: 1397.12

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07/11/07 AMEND: 30315.33, 30316.60, 30317, 30319.20

06/27/07 AMEND: 54342

06/26/07 AMEND: 60201, 60202, 60205, 60210

06/14/07 ADOPT: 100300, 100301, 100302, 100303, 100304, 100305, 100306, 100308, 100309, 100310

05/04/07 ADOPT: 96100

04/26/07 ADOPT: 93116.3.1 AMEND: 93115, 93116.2, 93116.3

04/18/07 ADOPT: 2641.56, 2641.57 AMEND: 2641.30, 2641.45, 2641.55, 2643.5, 2643.10, 2643.15 REPEAL: 2641.75, 2641.77

03/01/07 AMEND: 30346.3, 30350.3

02/28/07 ADOPT: 100500

02/16/07	AMEND: 6540	04/23/07	ADOPT: 66261.9.5, 67386.1, 67386.2, 67386.3, 67386.4
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07/10/07	AMEND: 1660	04/19/07	AMEND: 5065, 5101, 5108
07/02/07	AMEND: 17952	04/17/07	ADOPT: 40622, 40635.1, 40635.2, 40648, 40660, 40661, 40733, 40752
06/20/07	ADOPT: 25137–14		AMEND: 40603, 40635, 40743, 40747
06/05/07	AMEND: 1668		REPEAL: 40753
06/04/07	ADOPT: 1671.1	04/13/07	ADOPT: 66267.10 AMEND: 66264.1, 66265.1, 66270.1
05/17/07	AMEND: 1802	03/20/07	ADOPT: 69106 AMEND: 69100, 69101, 69102, 69103, 69104, 69106 (renumber to 69107), 69107 (renumber to 69108)
05/15/07	AMEND: 1703	03/20/07	AMEND: 926–3, 926–4, 926–5
04/25/07	AMEND: 1620	03/12/07	AMEND: 4400(ee) REPEAL: 4407, 4425, 4441.5
04/10/07	AMEND: 1566	02/28/07	AMEND: 92001, 92002, 92003, 92004, 92005, 92006, 92007, 92008, 92009, 92010, 92011, 92012, 92101, 92201, 92202, 92301, 92302, 92303, 92304, 92305, 92306, 92307, 92308, 92309, 92310, 92311, 92312, 92313, 92401, 92501, 92601, 92602, 92603, 92604, 92701, 92702
04/10/07	AMEND: 1655	02/23/07	AMEND: 100540
03/30/07	AMEND: 1571	02/22/07	ADOPT: 51003.1 AMEND: 51003, 51003.3
03/22/07	ADOPT: 4500, 4501, 4502, 4503, 4504, 4505, 4506, 4507, 4508, 4509, 4600, 4601, 4602, 4603, 4604, 4605, 4606, 4607, 4608, 4609, 4700, 4701, 4702, 4703	02/22/07	AMEND: 100066, 100079
03/08/07	AMEND: 1602	<b>Title 22, MPP</b>	
<b>Title 19</b>		02/23/07	ADOPT: 86500, 86501, 86505, 86505.1, 86506, 86507, 86508, 86509, 86510, 86511, 86512, 86517, 86518, 86519, 86519.1, 86519.2, 86520, 86521, 86522, 86523, 86524, 86526, 86527, 86528, 86529, 86529, 86531, 86531.1, 86531.2, 86534, 86535, 86536, 86540, 86542, 86544, 86545, 86546, 86552, 86553, 86554, 86555, 86555.1, 86558, 86559, 86561, 86562, 86563, 86564, 86565, 86565.2, 86565.5, 86566, 86568.1, 86568.2, 86568.4, 86570, 86572, 86572.1, 86572.2, 86574, 86575, 86576, 86577, 86578, 86578.1, 86579, 86580, 86586, 86587, 86587.1, 86587.2, 86588, MPP 11–400c, 11–402, 45–101(c), 45–202.5, 45–203.4, 45–301.1
03/28/07	AMEND: 906.2	<b>Title 23</b>	
02/28/07	ADOPT: 574.4, 574.5, 574.6 AMEND: 557.1, 561.2, 565.2, 566, 568, 573, 574.1, 574.2, 574.3, 574.4, 574.5, 574.6, 575.1, 575.3, Table 4, 575.4, 578.1, 591.5, 594.3, 595.1, 596.1. 596.2 REPEAL: 574.4, 574.5, 574.6, 609.3, 609.4, 609.5, 609.6, 609.7, 610, 612, 613, 614.2, 614.4	06/27/07	ADOPT: 3002
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07/03/07	ADOPT: 1233.5, 1234, 1236.5, 1311, 1346, 1349, 2508 AMEND: 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1341, 1342, 1343, 1344, 1345, 1347, 1348, 1350, 1351, 2501, 2502, 2503, 2504, 2505, 2506, 2507 REPEAL: 1340	05/21/07	ADOPT: 499.4.1.1, 499.4.1.2, 499.4.2, 499.6.3 AMEND: 499.1, 499.2, 499.3,
06/11/07	AMEND: 4.1		
03/28/07	AMEND: 1002, 1201, 1207, 1208, 1209, 1209.5, 1216, 1217, 1702, 1708, 1709.7, 1710, 1716, 1717, 1720, 1720.3, 1720.4, 1721, 1744, 1747, 2012–App B REPEAL: 1219, 1720.5, 1720.6		
02/22/07	AMEND: 17.1, 17.4		
<b>Title 21</b>			
03/05/07	ADOPT: 1520.12		
<b>Title 22</b>			
06/18/07	ADOPT: 67386.5, 67386.6, 67386.7, 67386.8, 67386.9, 67386.10, 67386.11, 67386.12 AMEND: 66261.9.5, Appendix XII, 67386.1, 67386.2, 67386.3, 67386.4		



	499.4, 499.4.1, 499.5, 499.6, 499.6.1,	05/23/07	AMEND: 6932
	499.7, 499.8 REPEAL: 499.6.2	04/05/07	ADOPT: 7065.5
05/18/07	ADOPT: 3958	<b>Title 27</b>	
05/18/07	ADOPT: 3959	04/13/07	ADOPT: 15186, 15187, and 15188
05/01/07	AMEND: 645		AMEND: 15100, 15110, 15120, 15130,
04/25/07	AMEND: 3983		15150, 15160, 15170, 15180, 15185,
04/06/07	AMEND: 737, 768, 769, 770, 771, 852		15187.1 (renumber to 15189), 15190,
03/23/07	ADOPT: 3989.6		15200, 15210, 15220 (amendment and
03/20/07	AMEND: 2913		renumbering of 15210(b) to 15220(a)),
02/20/07	ADOPT: 3939.24		15240, 15241, 15250, 15260, 15270,
02/20/07	AMEND: 3671, 3711, 3712, 3713,		15280, 15290
	3719.18	<b>Title MPP</b>	
<b>Title 25</b>		06/26/07	AMEND: 40–118, 43–103, 44–209,
07/06/07	AMEND: 5060, 5061, 5062, 5064, 5520,		80–301, 82–808
	5521, 5530, 5540.1, 5575	06/25/07	AMEND: 47–110 and 47–301